

## **QUESTION TAKEN ON NOTICE**

**BUDGET ESTIMATES HEARING: 28 May 2003**

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

### **(60) Output 1.3: Enforcement of Immigration Law**

Senator Sherry (L&C 346) asked:

When ACM disagreed with DIMIA's instructions, did they put their position in writing to the Department, and if so, provide a copy of the correspondence.

*Answer:*

The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) and its contracted service provider, Australasian Correctional Management Pty Ltd (ACM), have a complex and multi-layered relationship and communicate on a daily basis.

In any given situation either party may have a preference for a particular course of action. The Department does not instruct ACM on operational matters, but from time to time discussion between ACM and DIMIA may occur on particular issues, for example on detainee transfers between centres or the location of detention for particular detainees.

During the course of the six year relationship between ACM and DIMIA the volume of correspondence is such that a manual examination of all written communication would be a substantial and unreasonable diversion of the Department's resources from its normal operation.

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### **(61) Output 1.3: Enforcement of Immigration Law**

Senator Sherry (L&C 349) asked:

Are you able to provide us with information about the break-up of the moneys that were allocated out of scope, as you would call it?

*Answer:*

The term "out of scope services" is a departmental description of services provided by the Detention Services Provider under its contractual arrangements (either the Detention Services Contract or the General Agreement) but are not part of standard services delivered at each detention facility and therefore are not covered by the standard service delivery fees for each detention facility.

The significant out of scope services for the current financial year are in the area of Christmas Island IRPC, the Woomera RHP and Baxter start-up costs. In addition, some escorts (described under the contract as transport services fees) are paid outside the standard detention services fees for each centre. These costs constitute 15% of the value of the payments made to Australasian Correctional Services (ACS) under the Detention Services Contract for the 2002-03 year to date (31 May 2003).

This can be broken down as:

Escorts not included in Detention Services Fees	
(Transport Services Fees)	6%
Christmas Island	6%
Woomera RHP	2%
Baxter start-up	1%

The State and Territory offices also make additional payments to ACS for escorts for compliance activities. In order to provide a separate figure for these payments a manual examination of invoices would be required and this would be a substantial and unreasonable diversion of the Department's resources from its normal operation.

In addition to the out of scope services identified above ACM provides project management services as required by the Department for refurbishment works at the detention facilities. These payments represent a further 1% of the total payments for the 2002-03 financial year to date.

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**(62) Output 1.3: Enforcement of Immigration Law**

Senator Sherry (L&C 349) asked:

I note in respect of the Senator Murray motion, report 4, the figure of payment by DIMIA for the management of detention centres to ACM was \$411 million from February 2002 to February 2003. Is there an update on that figure?

*Answer:*

The Murray motion figures are published every 6 months. The most recent figure published was February 2003 and the next due date for publication is September 2003.

\$411 million is the value of payments made since the inception of the Detention Services Contract in 1997-98 to February 2003. The value of payments for the latest full financial year (2001-02) was \$105 million.

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**(63) Output 1.3: Enforcement of Immigration Law**

Senator Sherry (L&C 351) asked:

Has there been a soil pollution report in relation to the land the Woomera detention centre is on?

*Answer:*

The Department of Defence provided the following answer:

There has been no soil pollution report undertaken by Defence in relation to the land on which the Woomera Detention centre is located.

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**(64) Output 1.3: Enforcement of Immigration Law**

Senator Kirk (L&C 356) asked for a breakdown of the number of children in detention onshore as at 3 December 2002.

*Answer:*

The number of minors detained in onshore Immigration Detention Facilities and under alternative accommodation arrangements, as at 03 December 2002, is listed below:

<b>Children in Immigration Detention Facilities</b>	<b>Numbers</b>
Baxter Immigration Reception Processing Centre	37
Christmas Island Immigration Reception Processing Centre	5
Maribyrnong Immigration Detention Centre	4
Port Hedland Immigration Reception Processing Centre	20
Perth Immigration Detention Centre	3
Woomera Immigration Reception Processing Centre	11
Villawood Immigration Detention Centre	35
<b>Total</b>	<b>115</b>

<b>Children in alternative accommodation arrangements</b>	<b>Numbers</b>
<b>Total</b>	<b>45</b>

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### **(65) Output 1.3: Enforcement of Immigration Law**

Senator Kirk (L&C 358-359) asked:

In relation to Port Hedland, provide a copy of the amenities table

*Answer:*

The amenities table for Port Hedland is at Attachment A.

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### **(66) Output 1.3: Enforcement of Immigration Law**

Senator Kirk (L&C 360) asked:

Is the bus service between Baxter centre and the RHP popular?

*Answer:*

The table below identifies the number of persons who have utilised the service from mid-May to early June 2003. During these periods, the number of detainees accommodated in the Woomera RHP was 15.

Date	Male	Female	F/Child	M/Child	Total
5-11 May 2003	6	4	2	4	<b>16</b>
12-18 May 2003	6	4	1	4	<b>15</b>
19-25 May 2003	6	5	1	2	<b>14</b>
26 May-1 June 2003	6	0	0	0	<b>6</b>
2-8 June 2003	6	0	0	0	<b>6</b>

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**(67) Output 1.3: Enforcement of Immigration Law**

Senator Kirk (L&C 372) asked: "In the onshore context, how many cases of people have been turned around more than once?"

*Answer:*

In 2002-03 to date two people have been refused immigration clearance on more than one occasion at Australian airports. Similarly, in 2001-02 two people were refused immigration clearance more than once at Australian airports.

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### **(68) Output 1.3: Enforcement of Immigration Law**

Senator Kirk (L&C 373) asked: In relation to undocumented arrivals, provide information on the airlines, which have been fined.

*Answer:*

Under Section 504(1)(j) of the Migration Act, airlines are able to pay to the Commonwealth, as an alternative to prosecution, a prescribed penalty of \$5,000 for breaches of Section 229 of the Migration Act.

The airlines that received infringement notices for breaching Section 229 of the Migration Act, for the period 1 July 2002 to 31 May 2003, were:

Aerolineas Argentina	Air Caledonie International	Air Canada
Air China	Air Mauritius	Air Nauru
Air New Zealand	Air Nuigini	Air Pacific
Air Vanuatu	Asiana Airlines	Australian Airlines
Austrian Airlines	British Airways	Cathay Pacific Airways
China Airlines	China Eastern Airways	China Southern Airline
Continental Airlines	Continental Micronesia	Emirates
Eva Airways	Freedom Air	Garuda Indonesia
Japan Airlines	Korean Air	Lan-Chile
Luxair	Malaysia Airlines	Merpati Nusantara
Philippine Airlines	Qantas	Royal Brunei Airline
Singapore Airlines	Solomon Airlines	South African Airways
Thai Airways International	United Airlines	Vietnam Airlines
Yutana Airlines		

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### **(69) Output 1.3: Enforcement of Immigration Law**

Senator Crossin asked:

In relation to the 'Temporary' Coonawarra Detention Centre in Darwin:

1. What is the total cost of this Centre to date?
2. What was the total amount budgeted for this centre?
3. Please itemise any additional work and related costs that have been undertaken at the centre since its completion such as fencing, landscaping, grounds maintenance, cleaning, ongoing maintenance etc.
4. Has the Dept of Immigration and Multicultural and Indigenous Affairs or the Department of Defence used the facility? If so what were the dates and the purpose for using the facility?
5. Have any asylum seekers, illegal immigrants or illegal fisherman been processed and held at the centre? If so how many and on what dates?
6. Have any asylum seekers, illegal immigrants or illegal fisherman been processed and held at the Darwin showground since January 2002? If so, how many and on what dates?
7. Are there any ongoing cleaning or maintenance costs?
8. In May 2002 (L&C 355/357/358/359/360/362) it was advised that the Dept has not yet made a decision on the use of the remaining razor wire. Has this decision been made now and, if so, what is that decision and when was it made? If not, what is the status of the remaining razor wire?
9. Can you provide a breakdown of the total expenditure to date of the Darwin IRPC? Latest figures that were provided were current up to 13 June 2002 with a total expenditure of \$132,008 to that date.
10. Has there been any ongoing consultation with the NT Government about the proposed IRPC if so who has been involved from the Commonwealth and the NT Government, what form has this consultation taken and where and when has this occurred?

*Answer:*

1. \$7.4 m for construction and associated infrastructure of the centre.
2. \$7.4 m for construction and associated infrastructure of the centre.
3. Additional landscaping was undertaken along the Stuart Highway frontage at a cost of \$16,000.
4. The Department of Defence has advised that it has used the Coonawarra



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### **(70) Output 1.3: Enforcement of Immigration Law**

Senator Harradine asked:

How does the Department respond to claims in *The Australian* newspaper 15 May 2003 that the Department covered up evidence of its own officials about the widespread trafficking of women for prostitution?

*Answer:*

The claims made by *The Australian* newspaper are not supported in fact.

The Department has always treated the trafficking of persons as a serious issue and has been referring cases to the AFP since amendments to the Criminal Code in September 1999 created offences relating to slavery, sexual servitude and deceptive recruiting. The Department created a taskforce in 2001 in NSW, where the major problem lies, to collect information on illegal workers and organisers in the sex industry as part of a proactive approach in dealing with this issue.

The article in *The Australian* of 15 May 2003, rather than recognising the positive nature of this initiative, used a reference to unsubstantiated community allegations about activities in the sex industry, to assert that the information had been ignored.

The Department receives many allegations on illegal workers, much of which is vague or anecdotal in nature and some of it is malicious. The information is analysed and, where there is scope for further investigation, then this is carried out. A number of the cases referred to the AFP under the joint protocols had, in fact, resulted in follow up from information provided by the community.

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**(71) Output 1.4: Safe Haven**

Senator Bartlett (L&C 374) asked:

In relation to the 4 Iraqi nationals on class 449 safe haven visas, how long are the visas for and when do they expire?

*Answer:*

There are 3 Iraqis and 1 Iranian on Class 449 safe haven visas. Their visas expire as follows:

<b>Citizenship</b>	<b>Current expiry date</b>
Iranian	25/02/2004
Iraqi family (2 members)	18/06/2004
Iraqi	27/09/2003

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**(72) Output 1.5: Offshore Asylum Seeker Management**

Senator Kirk (L&C 414) asked; Provide update of payments made to IOM.

*Answer:*

The table below shows the monies reimbursed to the IOM from DIMIA funds in 2001-02 and to end May in 2002-03 for the purpose of managing the facilities on Manus and Nauru:

	<b>2001-02</b>	<b>2002-03</b> (to end of May)
Nauru	34.6m	32.6m
Manus	21.0m	16.4m

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

### **(73) Output 1.5: Offshore Asylum Seeker Management**

Senator Kirk (L&C 432-433) asked:

In relation to Dengue fever on Nauru:

1. How many asylum seekers were hospitalised?
2. Are there doctors there who know something about the affliction?
3. How many nurses are at the centre on Nauru?

*Answer:*

1. Eight asylum seekers were hospitalised for two to three days each for observation and treatment.
2. Two International Organisation for Migration (IOM) doctors currently in Nauru come from countries where Dengue fever is endemic and therefore have considerable experience in dealing with it.
3. The IOM medical team includes five international nurses (expatriate fully trained nurses). There are also four local Nauruan nursing aides.

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### **(74) Output 2.1: Settlement Services**

Senator Sherry (L&C 437) asked:

In relation to IHSS, what are DIMIA overheads in this area? And, do you have figures projected over the estimates period?

*Answer:*

Departmental operating expenses for 2003-04 in relation to the Integrated Humanitarian Settlement Strategy (IHSS) are estimated at \$4.9 million.

This estimate includes \$4.1 million for all direct and indirect DIMIA staffing costs for all departmental officers who are engaged in the delivery and management of the IHSS program and a further amount of \$0.3 million for systems maintenance.

The current IHSS contracts will expire during the estimates period and provision has been made in 2003-04 for \$0.5 million, to cover the cost of running a national tender process. This process will involve consultation with the sector, release of documentation, negotiation of contracts and implementation of new contracts.

The projected departmental operating expenses for 2004-05 and 2005-06, adjusted by CPI, are approximately \$5.0 million in each of these years. These projections may be subject to increases in salary and other superannuation/administrative expenses.